

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TINA GRYGLEWSKI,

v.

MICHAEL J. ASTRUE,¹ Commissioner of
Social Security

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3:05-0366

ORDER

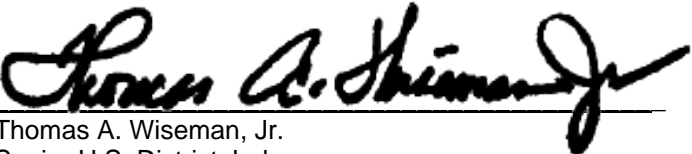
In this case both parties have filed Motions for Judgment on the Administrative Record and have briefed and argued their respective positions. The Magistrate Judge has filed a Report and Recommendation in which he recommends that the Plaintiff's Motion be granted, that the decision of the Commissioner be reversed and the cause remanded for further administrative proceedings consistent with the Report and Recommendation.

The Commissioner has filed objections to the Report and Recommendation and the Plaintiff has responded to those objections.

The Court has considered all of the above pleadings and the record in this case. From such consideration the Court finds the analysis of the Report and Recommendation to be well founded and correct in both law and fact, and the same is adopted hereby as the findings and conclusions of the Court.

It is therefore ordered that the decision of the Commissioner is REVERSED and the matter REMANDED for further consideration consistent with the Report and Recommendation. It is further ordered that this case be referred to a different Administrative Law Judge for such additional hearing, consideration and decision as may be necessary.

It is so **ORDERED**.


Thomas A. Wiseman, Jr.
Senior U.S. District Judge

¹Michael J. Astrue replaced Jo Anne B. Barnhart as the Commissioner of Social Security on February 12, 2007, and is "automatically substituted" as party defendant in this case, pursuant to Fed.R.Civ.P. 25(d)(1).